

Applicant is given ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this communication to correct the deficiency(ies). THE PROVISIONS OF 37 CFR 1.136 DO NOT APPLY TO THE TIME SPECIFIED IN THIS ACTION.

Note, the previous examiner, Hyder Ali, is no longer with the PTO. The indication that the claims are allowed is withdrawn, as there are numerous 112 problems with this case. The office regrets the delay on acting on this application.

The substitute specification dated 3/19/05 lacks a marked up copy with additions underlined and deletions bracketed or crossed out. Furthermore, a statement that no **new matter** has been inserted is missing. Because of the large number of claims (163), it is not clear that basis for all the claims can be found in the original disclosure (claims, drawings, and specification dated 8/8/03). Applicant is strongly encouraged to provide a courtesy copy of the claims providing each element with its number in brackets so as to prove that there is no new matter. After correcting the above issue, a complete examination will be enabled.

Some of the issues to be addressed *after* applicant's response are 1) because many of the claims are written in the Jepson format (see MPEP 6129), the applicant is implying that the preamble is admitted prior art, hence may be used against him, 2) it is improper to use "means" in the specification and claims without clearly providing what elements comprise the means and a clause setting forth their function (see MPEP 704.11 (R)), and 3) that claims setting forth elements that are not functionally or structurally related to any other are merely catalog of parts.

An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute

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the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah Kamen whose telephone number is 571 272 4845. The examiner can normally be reached on M-Th 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cuff can be reached on 571 272 6778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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